

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.678 OF 2006

IN

SHOWCAUSE NOTICE NO.168 OF 2006

IN

NOTICE OF MOTION NO.2127 OF 2003

IN

SUIT NO.2509 OF 1988

Smt.Roopa Bahirwani & Ors. ... Plaintiffs

V/s.

Smt.Hema G. Anand ... Defendant

And

Secretary, Anju Co-op. Housing
Society Ltd. & Ors. ... Respondents

Mr.P.G. Sabnis for Plaintiffs
Mr.R.R. Mishra for Respondent Nos.3 and 4

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 6, 2006**

P.C.:

. By an order dated 21.2.2006, non-bailable warrants were issued against Respondent Nos.2, 3 and 4. This Notice of Motion has been taken out by the Applicants in order to cancel and/or withdraw the non-bailable warrants issued against them. According to the Respondent Nos.3 and 4, who are present in Court, they were not able to attend the Court on 21.2.2006 due to unavoidable circumstances when their mother who is a widow suddenly developed medical problems. The

certificate issued by the Doctor treating their mother has been annexed to the affidavit. Both the Respondents have apologised and have assured the Court through their Counsel that they meant no disrespect to the Court by not remaining present on 21.2.2006.

2. Heard the learned Counsel for the parties. The non-bailable warrants are cancelled. However, it is made clear that Respondent Nos.3 and 4 shall remain present in Court tomorrow i.e., 7.3.2006 and on all further dates till the Court exempts their presence.

3. Notice of Motion stands disposed of accordingly.